

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

|                                  |   |                  |
|----------------------------------|---|------------------|
| SHELBY ANNE WARE,                | ) |                  |
|                                  | ) |                  |
| Plaintiff,                       | ) |                  |
|                                  | ) |                  |
| v.                               | ) | No.: 3:10-CV-121 |
|                                  | ) | (VARLAN/SHIRLEY) |
| MICHAEL J. ASTRUE,               | ) |                  |
| Commissioner of Social Security, | ) |                  |
|                                  | ) |                  |
| Defendant.                       | ) |                  |

**ORDER**

For the reasons stated in the memorandum opinion filed contemporaneously with this order, the defendant Commissioner's motion for summary judgment [Doc. 17] is **DENIED**, and plaintiff's motion for summary judgment [Doc. 11] is **GRANTED** only to the extent that this case is **REMANDED** to the Commission pursuant to sentence four of 42 U.S.C. § 405(g) for a new hearing consistent with the accompanying memorandum opinion and this order.

IT IS SO ORDERED.

s/ Thomas A. Varlan  
UNITED STATES DISTRICT JUDGE